

UNITED STATES BANKRUPTCY COURT
DISTRICT OF NEW JERSEY

Caption in Compliance with D.N.J. LBR 9004-1(b)

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MidFirst Bank



Order Filed on November 1, 2016
by Clerk
U.S. Bankruptcy Court
District of New Jersey

In Re:

George R. LaBrutto &
Debbie D. Ragona,

Debtors.

Case No.: 14-14557-VFP

Adv. No.:

Hearing Date: 10/06/2016

Judge: Vincent F. Papalia

ORDER RESOLVING MOTION FOR RELIEF FROM STAY

The relief set forth on the following pages, numbered two (2) through two (2) is hereby
ORDERED.

DATED: November 1, 2016



Honorable Vincent F. Papalia
United States Bankruptcy Judge

(Page 2)

Debtors: George R. LaBrutto & Debbie D. Ragona

Case No: 14-14557-VFP

Caption of Order: ORDER RESOLVING MOTION FOR RELIEF FROM STAY

This matter having been brought before the Court by KML Law Group, P.C., attorneys for Secured Creditor, MidFirst Bank, Denise Carlon, Esq. appearing, upon a motion to vacate the automatic stay as to real property located at 276 Seaton Avenue, Roselle Park, NJ 07204, and it appearing that notice of said motion was properly served upon all parties concerned, and this Court having considered the representations of attorneys for Secured Creditor and Melinda Middlebrooks, Esq., attorney for Debtors, and for good cause having been shown

It is **ORDERED, ADJUDGED and DECREED** that as of September 30, 2016, Debtors are in arrears outside of the Chapter 13 Plan to Secured Creditor for payments due April 2014 through September 2016 for a total post-petition default of \$41,812.17(3 @ \$1,309.45; 3 @ \$1,339.51; 7 @ \$1,343.62; 5 @ \$1,444.15; 12 @ \$1,436.60); and

It is further **ORDERED, ADJUDGED and DECREED** that the balance of the arrears in the amount of \$41,812.17 will be added to the affidavit of the amount due and paid per Debtors' Chapter 13 plan; and

It is further **ORDERED, ADJUDGED and DECREED** that regular mortgage payments are to resume October 1, 2016, directly to Secured Creditor care of its servicer, MidFirst Bank, 999 NorthWest Grand Boulevard, Oklahoma City, OK 73118 (Note: the amount of the monthly mortgage payment is subject to change according to the terms of the note and mortgage); and

It is further **ORDERED, ADJUDGED and DECREED** that the subject property is to be sold within six months from the date of this order to pay off Secured Creditor's lien in full, including but not limited to the post-petition arrears referenced in this Order; and

It is further **ORDERED, ADJUDGED and DECREED** that for the Duration of Debtors' Chapter 13 bankruptcy proceeding, if the lump sum payment or any regular monthly mortgage payments are not made within thirty (30) days of the date said payment is due, Secured Creditor may obtain an Order Vacating Automatic Stay as to Real Property by submitting a Certification of Default to the Court indicating such payment is more than thirty days late, and Debtors shall have fourteen days to respond; and

It is further **ORDERED, ADJUDGED and DECREED** that a copy of any such application, supporting certification, and proposed Order must be served on the Trustee, Debtors, and Debtors' counsel at the time of submission to the Court; and

It is further **ORDERED, ADJUDGED and DECREED** that Secured Creditor is hereby awarded reimbursement of fees and costs in the sum of \$350.00 for attorneys' fees and \$176.00 for filing fees, totaling \$526.00, which is to be paid through Debtors' Chapter 13 plan, and that this motion is hereby resolved.

Imaged Certificate of Notice Page 3 of 3

United States Bankruptcy Court
District of New JerseyIn re:
George R. LaBrutto
Debbie D. Ragona
DebtorsCase No. 14-14557-VFP
Chapter 13**CERTIFICATE OF NOTICE**

District/off: 0312-2

User: admin
Form ID: pdf903Page 1 of 1
Total Noticed: 1

Date Rcvd: Nov 02, 2016

Notice by first class mail was sent to the following persons/entities by the Bankruptcy Noticing Center on Nov 04, 2016.
db/jdb George R. LaBrutto, Debbie D. Ragona, 276 Seaton Avenue, Roselle Park, NJ 07204-1537

Notice by electronic transmission was sent to the following persons/entities by the Bankruptcy Noticing Center.
NONE. TOTAL: 0

***** BYPASSED RECIPIENTS *****

NONE.

TOTAL: 0

Transmission times for electronic delivery are Eastern Time zone.

I, Joseph Speetjens, declare under the penalty of perjury that I have sent the attached document to the above listed entities in the manner shown, and prepared the Certificate of Notice and that it is true and correct to the best of my information and belief.

Meeting of Creditor Notices only (Official Form 309): Pursuant to Fed. R. Bank. P. 2002(a)(1), a notice containing the complete Social Security Number (SSN) of the debtor(s) was furnished to all parties listed. This official court copy contains the redacted SSN as required by the bankruptcy rules and the Judiciary's privacy policies.

Date: Nov 04, 2016

Signature: /s/Joseph Speetjens**CM/ECF NOTICE OF ELECTRONIC FILING**

The following persons/entities were sent notice through the court's CM/ECF electronic mail (Email) system on November 2, 2016 at the address(es) listed below:

Alexandra T. Garcia on behalf of Loss Mitigation Wells Fargo Bank, NA NJECFMAIL@mw-c-law.com
 Alexandra T. Garcia on behalf of Creditor Wells Fargo Bank N.A. NJECFMAIL@mw-c-law.com
 Denise E. Carlon on behalf of Creditor MidFirst Bank dcarlon@kmlawgroup.com,
 bkgroup@kmlawgroup.com
 Jessica M. Minneci on behalf of Joint Debtor Debbie D. Ragona jminneci@middlebrooksshapiro.com
 Jessica M. Minneci on behalf of Debtor George R. LaBrutto jminneci@middlebrooksshapiro.com
 Joseph M. Shapiro on behalf of Joint Debtor Debbie D. Ragona jshapiro@middlebrooksshapiro.com
 Joseph M. Shapiro on behalf of Debtor George R. LaBrutto jshapiro@middlebrooksshapiro.com
 Marie-Ann Greenberg magecf@magtrustee.com
 Melinda D. Middlebrooks on behalf of Joint Debtor Debbie D. Ragona
 middlebrooks@middlebrooksshapiro.com, melindamiddlebrooks@gmail.com
 Melinda D. Middlebrooks on behalf of Debtor George R. LaBrutto
 middlebrooks@middlebrooksshapiro.com, melindamiddlebrooks@gmail.com
 Phillip B. Linder on behalf of Debtor George R. LaBrutto pbl@linderlawyers.com,
 nancy@linderlawyers.com
 Phillip B. Linder on behalf of Joint Debtor Debbie D. Ragona pbl@linderlawyers.com,
 nancy@linderlawyers.com
 R. A. Lebron on behalf of Loss Mitigation CitiMortgage, Inc. bankruptcy@feinsuch.com
 R. A. Lebron on behalf of Creditor CITIMORTGAGE, INC. bankruptcy@feinsuch.com
 TOTAL: 14